

TIVERTON TOWN COUNCIL AGENDA

Tiverton Town Hall

343 Highland Road

Tiverton, Rhode Island 02878

Regular Meeting: Tuesday, October 15, 2013 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 forty-eight (48) hours in advance of the meeting date.

DATE POSTED: 10-10-2013

1.PLEDGE OF ALLEGIANCE TO THE FLAG

2.ROLL CALL

Edward Roderick-President Joan B. Chabot Jay J. Lambert

Denise M. deMedeiros-Vice President William P. Gerlach Brett N. Pelletier

James J. Arruda

3.APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in

its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes Regular Council Meeting September 23, 2013

b. Approval of Executive Session Minutes September 23, 2013

c. Approval of Joint Workshop Minutes September 30, 2013

Councilor Gerlach and Councilor Arruda Abstained - Absent

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Art's Council

b. Economic Development Commission

c. Historic Preservation Advisory Board (2)

d. Planning Board

e. Prevention Coalition

f. Wastewater Management Commission (2)

g. Zoning Board of Review

(C.A.) 3. Correspondence – Receive and File

a. Barbara Pelletier - September Meeting Minutes of the Newport Counties Visitors Bureau

(C.A.) 4. Approval of Tax Assessor Abatements

(C.A.) 5. Kate Michaud, Planning Board Administrative Officer -

September Activities Report

(C.A.) 6. Distribution of Town Administrator's September Report

(C.A.) 7. Chief Thomas Blakey – Permission to Advertise for Position of Police Officer

(C.A.) 8. Denise Saurette, Treasurer – August and September Monthly Budget and Revenue Reports

A-9- OPEN PUBLIC FORUM FOR ANNOUNCEMENTS, COMMENTS, QUESTIONS

1.Celebrate Tiverton 2014 – Linda Larsen and Huck Little – Addition of Fireworks to Festival

B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS

1. Public Hearing on Proposed Amendment to Article 5, Section 1, Note 1 of

Zoning Ordinance to Include Open Space Zones Requested by Audubon Society of RI

a.Planning Board Recommendation

2.Public Hearing for Proposed Ordinance Amendment – Chapter 47

-Foreclosed and Vacant Properties

a.Town Solicitor's Proposed Further Amendments for Presentation at Public Hearing

C. TOWN COUNCIL SITTING AS BOARD OF LICENSING

1 - BOARD OF LICENSING - PUBLIC HEARINGS – ADVERTISED

A.Junkyard and Second Hand Dealer License Renewals December 1, 2013-November 30, 2014 – Subject To

Meeting All Legal Requirements

- 1.Arnold's Auto Parts, 1484 Crandall Road**
- 2.General Auto Recycling Inc., 384 King Road**
- 3.Alan J. Lagasse, d/b/a Lagasse Salvage Yard, 20 Cory's Lane**
- 4.Sanford & Son LTD, 104 Cynthia Avenue**
- 5.South Shore Tiverton LLC., 413 Bulgarmarsh Road**
- 6.Tiverton Auto Parts, Inc., 541 Bulgarmarsh Road**
- 7.Tiverton Auto Parts, Inc., 533 Bulgarmarsh Road & Lot 116 Card 29**

B.Liquor License Renewals – December 1, 2013 to November 30, 2014 – Subject To Meeting All Legal Requirements

CLASS A – Liquor Stores - (\$1000)

- 1.Chandri, Inc. d/b/a Tiverton Liquors, 65 Main Rd.**
- 2.Nimraj, Inc. d/b/a Crossroad Liquors Inc. 1540 Bulgarmarsh Rd.**
- 3.Smittom Inc. d/b/a Stone Bridge Liquors 2490 Main Rd.**

CLASS BV– Full Liquor License - (\$800)

- 1.Silva Brothers Inc. d/b/a Barcello's Family Restaurant, 1214 Stafford Rd.**
- 2.Spring Restaurant, Inc. 118-120 Main Rd**
- 3.Le Moulin Rouge, Inc. 1403 Main Rd**
- 4.Benjamin's Sports Pub, Inc. 4 Stafford Rd**
- 5.Faithe J. Bortz d/b/a P. J's Café 301 State Ave.**
- 6.Evelyn's Nanaquaket Drive-In, Inc. 2335 Main Rd.**
- 7.Kfoury Inc. d/b/a Brantal's Restaurant, Banquet & Catering Facility, 91-97 Crandall.**
- 8. The Boat House Restaurant, LLC, 227 Schooner Drive**
- 9. Nonni's Inc. d/b/a Nonni's Kitchen & Pasta Shop 1154 Stafford Rd.**
- 10. HUEJAN Inc. d/b/a Lil' Bear Sports Lounge 983 Main Rd.**
- 11. Everett Lane Inc. d/b/a Family Ties Restaurant 221 Main Road**
- 12. Atlantic Sports Pub, Inc. 70 Shove St.**
- 13. Susan's Restaurant 13 Crandall Rd.**
- 14. D & L CORP. 180 Main Rd. (for 79 Main Rd.)**
- 15. Black Goose Company d/b/a Black Goose Café 2160 Main Rd.**
- 16. Millie Loo LLC d/b/a Bistro 520-524 Main Road**

CLASS BVL – Limited Liquor License (\$400.)

- 1. Classic Pizza Inc. 495 Main Rd.**
- 2. Soule-Seabury Associates, Inc. d/b/a Four Corners Grill, 3841 Main Rd.**
- 3. Fu Li Hua Corp. d/b/a Asian Gourmet 1715 Stafford Rd.**

CLASS BT – Bed and Tavern - (\$800)

- 1. Senior Lifestyle Sakonnet Bay LP, 1215 Main Rd.**

CLASS D –Unlimited Club Licenses (\$200.)

- 1.Father Joseph Boehr Columbian Club, Inc.
d/b/a Knights of Columbus, 28 Fish Rd.**
- 2. Woodrow L. Silvia Post Home Association, Inc. 134 Shove St.**
- 3. Bayview Holy Ghost Citizens Club, 66 Bottom St.**

D - APPOINTMENTS & RESIGNATIONS:

- 1.Juvenile Hearing Board Re-Appointments**
 - a.Eugene Raposa, 413 Hooper Street – Three Year Term Expiring 10/15/2016**
 - b.Donna Cook, 192 Hilton Street – 1st Alternate – One Year Term Expires 10/15/2014**

E - UNFINISHED BUSINESS:

F – FINANCIAL BUSINESS

G - NEW BUSINESS:

- 1.Town Administrator – Ratification of Executive Administrative Assistant Contract - 3Year Contract July 23, 2013 to July 22, 2016 – Mary Lou Sullivan**

2.DPW Director Stephen Berlucchi – Permission to Junk Six (6) Town Vehicles

H – BIDS AND REQUESTS FOR PROPOSALS

1.DPW Director Berlucchi – Request Bid Award of Contract for Guardrail Services to COSCO, Inc. Lowest Bidder at a Price of \$14,500

2.Leroy Kendrick Chairman, Wastewater Management

a.Permission to Waive RFP for Professional Services to Create Tiverton Sewer District

b.Award Contract for Professional Services to Atlantic States Rural Water & Wastewater Association of North Kingstown, RI Not to Exceed \$12,000

I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS

1.Town of Tiverton v. James and Melissa Pelletier – Superior Court Decision

2.McLaughlin v. Town of Tiverton NC2011-535 – Superior Court Decision

3.Litigation – LAL Construction, Inc., et al (Site Ready) v. Town of

Tiverton CA# 13-344M

Update and Discussion on Discovery

4.Discussion on Limits to Liquor Licenses

L- TOWN CLERK ITEMS AND ANNOUNCEMENTS

1.Agenda for October 17th Joint Workshop With Budget and School Committees

2.Scheduling of Joint Workshop With Planning Board Regarding Form Based Code

5.CLOSED EXECUTIVE SESSION

**1.Town Administrator–Personnel Performance–42-46-5(a)(1)–Thomas Blakey, Police Chief
Notice Given**

2.Town Administrator–Personnel Performance–42-46-5(a)(1)–Gareth Eames–Code Enforcement Officer – Notice Given

3.Town Solicitor – 42-46-5(a)(2) – Litigation Report

4.Town Solicitor – Litigation – 42-46-5(a)(2) – Tiverton v. Dadson Mobile Home Owners Association

A portion of this meeting may be held in executive session

pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”